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10 Attorneys for Plaintiff  
 11 United States of America

12 UNITED STATES DISTRICT COURT  
 13 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
 14 WESTERN DIVISION

15 UNITED STATES OF AMERICA,	)	NO. 2:08-cv-01009-FMC-MANx
	)	
16 Plaintiff,	)	<b>CONSENT JUDGMENT AS TO THE</b>
	)	<b>FOLLOWING DEFENDANT ASSETS</b>
17 v.	)	<b>ONLY: ONE 2004 FORD F-150</b>
	)	<b>TRUCK, VIN 1FTPW12524KD75457,</b>
18 ONE 2004 FORD F-150 TRUCK,	)	<b>ONE 2000 CHEVROLET SILVERADO</b>
ONE 2000 CHEVROLET SILVERADO	)	<b>TRUCK, VIN 2GCEC19V8Y1391173</b>
19 TRUCK, AND ONE 2000 FORD	)	<b>AND ONE 2000 FORD MUSTANG, VIN</b>
MUSTANG,	)	<b>1FAFP404XYF144704.</b>
	)	
20 Defendants.	)	
	)	
21 <hr/>	)	
FAUSTO NAVARRETE, DESERAY	)	
22 NAVARRETE, AND DAVID GAME,	)	
	)	
23 Claimants.	)	
	)	
24 <hr/>	)	

25 A. On or about February 14, 2008, plaintiff United States of  
 26 America ("the government" or "the United States of America")  
 27 filed a Complaint for Forfeiture alleging that the defendants  
 28

1 ("defendant vehicles"), One 2004 F-150 Truck, VIN  
2 1FTPW12524KD75457; One 2000 Chevrolet Silverado Truck, VIN  
3 2GCEC19V8Y1391173 and One 2000 Ford Mustang, VIN  
4 1FAFP404XYF144704, ("Ford F-150" (or "F-150") or "Chevrolet  
5 Silverado", or "Ford Mustang" or defendant vehicles") are subject  
6 to forfeiture pursuant to 21 U.S.C. §§ 881 (a)(4) and (a)(6). On  
7 or about April 2, 2008, claimant Fausto Navarrete filed a claim  
8 to One 2004 F-150 Truck, VIN 1FTPW12524KD75457. On or about April  
9 15, 2008, claimant Fausto Navarrete filed an answer.

10 B. On or about April 2, 2008, claimant Deseray Navarrete filed  
11 a claim to One 2000 Ford Mustang, VIN 1FAFP404XYF144704. On or  
12 about April 15, 2008, claimant Deseray Navarrete, filed an  
13 answer.

14 C. On or about April 2, 2008, claimant David Game filed a claim  
15 to One 2000 Chevrolet Truck Silverado, VIN 2GCEC19V8Y1391173 . On  
16 or about April 15, 2008, claimant David Game, filed an answer.

17 D. The government and claimants Fausto Navarrete, Deseray  
18 Navarrete and David Game, have now agreed to settle this matter  
19 to avoid further litigation between them by entering into this  
20 Consent Judgment.

21 E. The Court having been duly advised of and having considered  
22 the matter, and based upon the mutual consent of the parties  
23 hereto,

24 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

25 1. This Court has jurisdiction over the subject matter of  
26 this action and over the parties to this Consent Judgment of  
27 Forfeiture.

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1           2.    The Verified Complaint for Forfeiture states a claim  
2 for relief pursuant to 21 U.S.C. §§ 881 (a)(4) and (a)(6).

3           3.    Notice of this action has been given as required by  
4 law. The parties to this Agreement are unaware of any potential  
5 claimants to the defendants other than Fausto Navarrete, Deseray  
6 Navarrete and David Game. The time for filing claims has  
7 expired. The Court deems that all potential claimants admit the  
8 allegations of the Verified Complaint for Forfeiture to be true.

9           4.    The United States of America shall have judgment as to  
10 One 2004 F-150 Truck, VIN 1FTPW12524KD75457. The return of  
11 \$2,895.29 from the proceeds of the sale of the One 2004 F-150  
12 Truck, VIN 1FTPW12524KD75457 should be returned to Ford Credit.  
13 Said funds shall be forwarded by check made payable to "Ford  
14 Credit," and shall be mailed to Ford Credit, P.O. Box 790119, St  
15 Louis, MO 63179-0119.

16           5.    The United States of America shall return One 2000  
17 Chevrolet Truck Silverado, VIN 2GCEC19V8Y1391173 to claimant  
18 David Game and One 2000 Ford Mustang, VIN 1FAFP404XYF144704 to  
19 claimant Deseray Navarrete in exchange for a waiver of attorney  
20 fees.

21           6.    Claimants Fausto Navarrete, Deseray Navarrete and David  
22 Game, hereby release the United States of America, its agencies,  
23 agents, officers, employees and representatives, including,  
24 without limitation, all agents, officers, employees and  
25 representatives of the Drug Enforcement Agency, and its  
26 respective agencies, as well as all agents, officers, employees  
27 and representatives of any state or local governmental or law  
28 enforcement agency involved in the investigation or prosecution

1 of this matter, from any and all claims, actions, or liabilities  
2 arising out of or related to this action, including, without  
3 limitation, any claim for attorney fees, costs, and interest,  
4 which may be asserted by or on behalf of claimants Fausto  
5 Navarrete, Deseray Navarrete and David Game, whether pursuant to  
6 28 U.S.C. § 2465 or otherwise.

7       7. The Court finds that there was reasonable cause for the  
8 seizure of the defendant vehicles and institution of these  
9 proceedings against the said defendants. This judgment shall be  
10 construed as a certificate of reasonable cause pursuant to 28  
11 U.S.C. § 2465.

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1 8. The Court further finds that claimants Fausto  
2 Navarrete, Deseray Navarrete and David Game, did not  
3 substantially prevail in this action, and each of the parties  
4 hereto shall bear its own attorney fees and costs.

5  
6  
7 DATED: January 26, 2009



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9  
10 THE HONORABLE FLORENCE MARIE COOPER  
UNITED STATES DISTRICT JUDGE

11  
12 CONSENT

13 The parties hereto consent to the above judgment and waive  
14 any right to appeal this judgment.

15 DATED: January \_\_, 2009

16 THOMAS P. O'BRIEN  
United States Attorney  
17 CHRISTINE C. EWELL  
Assistant United States Attorney  
Chief, Criminal Division  
18 STEVEN R. WELK  
Assistant United States Attorney  
19 Chief, Asset Forfeiture Section

20 /s/

21 FRANK D. KORTUM  
Assistant United States Attorney

22 Attorneys for Plaintiff  
23 UNITED STATES OF AMERICA

24 DATED: January \_\_, 2009

/s/

25  
26 KRISTEN B. BROWN

27 Attorney for Claimants  
28 Fausto Navarrete, Deseray Navarrete  
and David Game.